INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)

| Application Number | | 10717076 | | |
|------------------------|-------|-----------------|--|--|
| Filing Date | | 2003-11-18 | | |
| First Named Inventor | Brian | Brian S. Appel | | |
| Art Unit | | 1797 | | |
| Examiner Name | Tam | M. Nguyen | | |
| Attorney Docket Number | | 12833-011115111 | | |

CERTIFICATION STATEMENT

| Please see | 37 | CFR | 1 97 | and | 1 98 | to make | the | appropriate | selection(s | ď |
|------------|----|-----|------|-----|------|---------|-----|-------------|-------------|---|
| | | | | | | | | | | |

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patient office in a counterpart foreign application not more than three months prior to the filling of the information disclosure statement. See 37 CFR 137(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any involved designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.57(e).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

Thomas D. Kohler

_ ...

Name/Print

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Registration Number

32797

| Toma or the organization | | | |
|--------------------------|--------------------|-------------------|------------|
| Signature | /Thomas D. Kohler/ | Date (YYYY-MM-DD) | 2010-10-18 |

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